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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 May 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Human trafficking as crime against humanity

Associazione Comunità Papa Giovanni XXIII (APG23) is firmly convinced - as Pope Francis constantly underscores – that 'Human Trafficking is a Modern Slavery' and that its practice is a "Crime against Humanity".

No one can or should accept the fact that a person is nullified, denied in his/her own human dignity and reduced from a subject to an object.

Millions of trafficked persons are subjected to sexual exploitation, and the number of victims trafficked and trapped in forced labour is also increasing.

"It is the demand for cheap labour, for prostitution, for organs, where rich people's wants nullify poor people's rights to work in physical safety, to protect their own bodies against abuse and to value their own vital body parts as necessary to life itself.

This demand it's growing, not decreasing and it fuels 'internal trafficking' within countries: the 'grooming' of young girls, the sequestration of the desperate as 'domestic workers', the detention of 'captive workers'."[1]

We are deeply concerned about the increasing phenomenon of unaccompanied minors that are at the mercy of traffickers and criminal organisations: child migrants who are exploited not only during their journeys but also in the countries of transit and destination.

In 2005, the Committee on the Rights of the Child made clear in its General Comment n.6 ("Treatment of unaccompanied and separated children outside their country of origin" CRC/GC/2005/6) the particular vulnerable situation of unaccompanied and separated children that are victims of trafficking in various contexts and forms.

Regrettably, thousands upon thousands of migrant children are subjected to human trafficking. The interventions of the countries of destination are often inadequate and quite often, so child un-friendly that they actually imprison these children.

We are also deeply concerned about the tendency to center immigration policies on a unbalanced perspective of defence and closure of borders. Such approaches are incorrect and short-sighted and will not stop the traffickers. In Australia, for example, there is a proposal to adopt a range of measures that would further contravene the principle of non-refoulement that remains an obligation under international law[2].

As stated in the 2014 UNODC Global Report on Trafficking in Persons: "The crime of trafficking in persons affects virtually every country in every region of the world. Between 2010 and 2012, victims with 152 different citizenships were identified in 124 countries across the globe"[3].

These are the official data reported to UNODC by the national authorities but represent only what has been detected. It is clear that the phenomenon is larger and expanding.

Such a trade that amounts to a new modern form of slavery needs not only to be criminalized but also to be prevented and eradicated. Its victims have the right first to immediate and effective protection and also to remedy.

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[1] Margaret Archer, president of the Pontifical Academy of Social Sciences, Preface to Plenary Session "*Human Trafficking: Issues beyond criminalization*" 17-21 April 2015 Vatican City

[2] A/HRC/28/85, p.132, AUS 5/2014

[3] UNODC (United Nations Office on Drugs and Crimes), Vienna, *Global Report on Trafficking in Persons 2014*, pp. 11

APG23 wished to appreciate the report of the Special Rapporteur on trafficking in persons, especially women and children, Maria Grazia Giammarinaro (A/HRC/29/38) but it was not published until the dead-line for present written statements at the 29th regular session of the Human Rights Council, so we have no possibility to comment on that and we reserve our position to the oral statement.

On 2 December 2014, in Rome, Catholic, Anglican, Muslim, Hindu, Buddhist, Jewish and Orthodox religious leaders signed a Joint Declaration of Religious Leaders Against Modern Slavery ("Joint Declaration") as a public statement of their commitment to work together in spiritual and practical actions to eradicate this crime against humanity and restore dignity and freedom to its victims.

The statement proclaims: "In the eyes of God each human being is a free person, whether girl, boy, woman or man, and is destined to exist for the good of all in equality and fraternity. Modern slavery, in terms of human trafficking, forced labour and prostitution, organ trafficking, and any relationship that fails to respect the fundamental conviction that all people are equal and have the same freedom and dignity, is a crime against humanity."[4].

The true identity and human dignity of human beings is compromised by the current globalization of indifference. Some of its gravest consequences can be seen in modern forms of slavery and human trafficking – the systematic deprivation of a person's liberty, and abuse of his or her body, or labour.

We joint with the final comment of the Joint Declaration in calling Governments, International Organizations, no-States Actors and all men ad women of good will "to work together for the freedom of all those who are enslaved and trafficked so that their future may be restored. Today we have the opportunity, awareness, wisdom, innovation and technology to achieve this human and moral imperative"[5].

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[4] *Joint Declaration of Religious Leaders Against Modern Slavery*, Casina Pio IV, Headquarters of the Pontifical Academies of Sciences and Social Sciences, 2 December 2015;
[5] Ibid.